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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/967,473	11/11/1997	THEODORE G. HABING	E0308-7	7145
25397	7590	01/28/2008	EXAMINER CROW, STEPHEN R	
DUANE MORRIS LLP 3200 SOUTHWEST FREEWAY SUITE 3150 HOUSTON, TX 77027			ART UNIT 3764	PAPER NUMBER
		MAIL DATE 01/28/2008	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08967473	11/11/1997	HABING ET AL.	E0308-7

65
EXAMINER

Steve R. Crow

ART UNIT	PAPER
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3764 20080122-1

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Reissue Applications

Response to Amendment

1. The reply filed on 12-19-07 is not fully responsive to the prior Office Action because:

The claims have been improperly amended.

MPEP 1453 states:

"All amendment changes must be made relative to the patent to be reissued."

Applicant has only underlined amendments made to the reissue application claims. Where appropriate, the entire claims of the newly submitted reissue claims must be underlined.

Pursuant to 37 CFR 1.173(d), any such changes which are made to the specification, including the claims, must be shown by employing the following "markings:"

- (A) The matter to be omitted by reissue must be enclosed in brackets; and
- (B) The matter to be added by reissue must be underlined, except for amendments submitted on compact discs (pursuant to 37 CFR 1.96 for computer printouts or programs, and 37 CFR 1.825 for sequence listings). "

2. Applicant is notified that any subsequent amendment to the specification and/or claims must comply with 37 CFR 1.173(b). In addition, when any substantive amendment is filed in the reissue application, which amendment otherwise places the

reissue application in condition for allowance, a supplemental oath/declaration will be required. See MPEP § 1414.01.

3.

4. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve R. Crow whose telephone number is 571-272-4973. The examiner can normally be reached on Max flex ;Off First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LoAn Thanh can be reached on 571-272-4966. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sc



Stephen R. Crow
Primary Examiner